

#28843

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FORM PTO-1390 U.S. DEPARTMENT OF COMMERCE
(REV. 10-94) PATENT AND TRADEMARK OFFICE
TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

ATTORNEY'S DOCKET NUMBER

640100-326

U.S. APPLICATION NO. (If known, see 37
CFR 1.5) 09/319521INTERNATIONAL APPLICATION NO.
PCT/US97/22022INTERNATIONAL FILING DATE
05 December 1997
(05.12.97)PRIORITY DATE CLAIMED
06 December 1996
(06.12.96)

TITLE OF INVENTION

IMPROVED CHONDROGENIC DIFFERENTIATION OF HUMAN MESENCHYMAL STEM CELLS

APPLICANT(S) FOR DO/EO/US

PITTENGER, Mark. F.; MACKAY, Alastair, M.; MURPHY, J. Mary; BARRY, Francis P.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This express request to being national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ has been transmitted by the International Bureau.
 - c. ☒ is not required, as the application was filed in the United States Receiving Office (RO/US)
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2))
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☒ has been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)) .
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern other document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A **FIRST** preliminary amendment.
☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information: Self-addressed, postage-paid, return receipt postcard.

U.S. APPLICATION NO. If known, see 37 C.F.R. 1.5	INTERNATIONAL APPLICATION NO. PCT/US97/22022	ATTORNEY'S DOCKET NUMBER 640100-326
17. <input checked="" type="checkbox"/> The following fees are submitted: Basic National Fee (37 CFR 1.492(a)(1)-(5)): Search Report has been prepared by the EPO or JPO \$840.00 International preliminary examination fee paid to USPTO (37 CF 1.482) \$490.00 No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)) \$0.00 Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$0.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4) \$0.00		CALCULATIONS : PTO USE ONLY
ENTER APPROPRIATE BASIC FEE AMOUNT =		\$ 1330.00
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).		\$
Claims	Number Filed	Number Extra
Total Claims	38 - 20 =	18
Independent Claims	3 - 3 =	0
Multiple dependent claim(s) (if applicable)		+ \$260.00
TOTAL OF ABOVE CALCULATIONS =		\$ 1654.00
Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity statement must also be filed. (Note 37 CFR 1.9, 1.27, 1.28)		\$
SUBTOTAL =		\$.00
Processing fee of \$130.00 for furnishing the English translation later the <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f))		\$
TOTAL NATIONAL FEE =		\$ 1654.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property		+ \$
TOTAL FEES ENCLOSED =		\$1654 .00
Amount to be refunded		\$
charged		\$
a. <input checked="" type="checkbox"/> A check no. 29201 in the amount of \$1654.00 to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. 03-0678 in the amount above to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 03-0678. A duplication copy of this sheet is enclosed. NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.		
SEND ALL CORRESPONDENCE TO: Raina Semionow Carella, Byrne, Bain, Gilfillan, Cecchi, Stewart & Olstein 6 Becker Farm Road Roseland, New Jersey 07068	<div style="text-align: center;"> Raina Semionow </div> <div style="text-align: center;"> June 4, 1999 DATE </div> <div style="text-align: center;"> REG. NUMBER 39,022 </div>	<div style="text-align: center;"> EL339296171US EXPRESS MAIL LABEL NUMBER </div>